

VPDES PERMIT PROGRAM FACT SHEET

This document gives pertinent information concerning the VPDES Permit listed below. This permit is being processed as a MINOR MUNICIPAL permit.

1. PERMIT NO.: VA0090875 EXPIRATION DATE: November 30, 2016
2. FACILITY NAME AND LOCAL MAILING ADDRESS FACILITY LOCATION ADDRESS (IF DIFFERENT)
- Oak Hall Shopping Center  
SE corner of US Hwy 13 @ Rt. 175 (Nash Corner)  
Oak Hall, VA 23415
- CONTACT AT FACILITY: CONTACT AT LOCATION ADDRESS  
NAME: Mr. Don Hearl NAME: same  
TITLE: Vice-Pres. ESS TITLE:  
PHONE: (540)-825-6660 PHONE:
3. OWNER CONTACT: (TO RECEIVE PERMIT) CONSULTANT CONTACT:  
NAME: Mr. James Koehler NAME: Mr. Don Hearl, Vice-President  
TITLE: Vice-President FIRM NAME: Env. Syst. Services, LTD  
COMPANY NAME: TAI Oak Hall LLC ADDRESS: 218 N. Main Street  
ADDRESS: 655 Fox Run Rd., Suite B Culpeper, VA 22701  
Findley, OH 45840  
PHONE: (419)-422-8443 PHONE: (540)-825-6660
4. PERMIT DRAFTED BY: DEQ, Water Permits Regional Office
- Permit Writer(s): R.E. Smithson  
Reviewed By: D.D. Austin *DOA* *[Signature]* Date(s): 07/29/16  
Date(s): 08/19/16
5. PERMIT ACTION:
- ( ) Issuance (X) Reissuance ( ) Revoke & Reissue ( ) Owner Modification  
( ) Board Modification ( ) Change of Ownership/Name [Effective Date: ]
6. SUMMARY OF SPECIFIC ATTACHMENTS LABELED AS:
- |               |  |
|---------------|--|
| Attachment 1  | Site Inspection Report/Memorandum  |
| Attachment 2  | Discharge Location/Topographic Map   |
| Attachment 3  | Schematic/Plans & Specs/Site Map/Water Balance   |
| Attachment 4  | TABLE I - Discharge/Outfall Description  |
| Attachment 5  | TABLE II - Effluent Monitoring/Limitations   |
| Attachment 6  | Effluent Limitations/Monitoring Rationale/Suitable<br>Data/Antidegradation/Antibacksliding |
| Attachment 7  | Special Conditions Rationale   |
| Attachment 8  | Receiving Waters Info./Tier Determination/303(d) Listing Info                              |
| Attachment 9  | TABLE III(a) and TABLE III(b) - Change Sheets  |
| Attachment 10 | Chronology Sheet   |
| Attachment 11 | Other Documents  |

APPLICATION COMPLETE: 06/10/16 (VDH & DSS comments)

7. **PERMIT CHARACTERIZATION:** (Check as many as appropriate)

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Existing Discharge | <input checked="" type="checkbox"/> Effluent Limited        |
| <input type="checkbox"/> Proposed Discharge            | <input checked="" type="checkbox"/> Water Quality Limited   |
| <input checked="" type="checkbox"/> Municipal          | <input type="checkbox"/> WET Limit                          |
| SIC Code(s) 5411, 6512, 4952                           | <input type="checkbox"/> Interim Limits in Permit           |
| <input type="checkbox"/> Industrial                    | <input type="checkbox"/> Interim Limits in Other Document   |
| SIC Code(s)  | <input type="checkbox"/> Compliance Schedule Required       |
| <input type="checkbox"/> POTW                          | <input type="checkbox"/> Site Specific WQ Criteria          |
| <input type="checkbox"/> PVOTW                         | <input type="checkbox"/> Variance to WQ Standards           |
| <input checked="" type="checkbox"/> Private            | <input type="checkbox"/> Water Effects Ratio                |
| <input type="checkbox"/> Federal                       | <input type="checkbox"/> Discharge to 303(d) Listed Segment |
| <input type="checkbox"/> State                         | <input type="checkbox"/> Toxics Management Program Required |
| <input type="checkbox"/> Publicly-Owned Industrial     | <input type="checkbox"/> Toxics Reduction Evaluation        |
|  | <input type="checkbox"/> Storm Water Management Plan        |
|  | <input type="checkbox"/> Pretreatment Program Required      |
|  | <input type="checkbox"/> Possible Interstate Effect         |

8. **RECEIVING WATERS CLASSIFICATION:** River basin information.

Outfall No(s): 001

Receiving Stream: Unnamed Trib to Tunnels Mill Br. To Bullbegger Creek  
 River Mile: 1.43  
 Basin: Chesapeake Bay, Atlantic Ocean & Small Coastal  
 Subbasin: N/A  
 Section: 2a  
 Class: III  
 Special Standard(s): none  
 Tidal: No

9. **FACILITY DESCRIPTION:** Describe the type facility from which the discharges originate.

Existing municipal discharge resulting from the discharge of treated domestic sewage.

10. **LICENSED OPERATOR REQUIREMENTS:** ☐ No ☒ Yes Class: IV11. **RELIABILITY CLASS:** I12. **SITE INSPECTION DATE:** 02/03/16 **REPORT DATE:** 02/05/16Performed By: S.J. Thomas

SEE ATTACHMENT 1

13. **DISCHARGE(S) LOCATION DESCRIPTION:** Provide USGS Topo which indicates the discharge location, significant (large) discharger(s) to the receiving stream, water intakes, and other items of interest.Name of Topo: Hallwood, VA Quadrant No.: 142A

SEE ATTACHMENT 2

14. **ATTACH A SCHEMATIC OF THE WASTEWATER TREATMENT SYSTEM(S) [IND. & MUN.]. FOR INDUSTRIAL FACILITIES, PROVIDE A GENERAL DESCRIPTION OF THE PRODUCTION CYCLE(S) AND ACTIVITIES. FOR MUNICIPAL FACILITIES, PROVIDE A GENERAL DESCRIPTION OF THE TREATMENT PROVIDED.**

SEE ATTACHMENT 3

15. **DISCHARGE DESCRIPTION:** Describe each discharge originating from this facility.

SEE ATTACHMENT 4

16. **COMBINED TOTAL FLOW:**TOTAL: 0.01MGD (for public notice)DESIGN FLOW: 0.01 MGD (MUN.)17. **STATUTORY OR REGULATORY BASIS FOR EFFLUENT LIMITATIONS AND SPECIAL CONDITIONS:**

(Check all which are appropriate)

- ☒ State Water Control Law
- ☒ Clean Water Act
- ☒ VPDES Permit Regulation (9 VAC 25-31-10 et seq.)
- ☒ EPA NPDES Regulation (Federal Register)
- ☒ EPA Effluent Guidelines (40 CFR 133 or 400 - 471)
- ☒ Water Quality Standards (9 VAC 25-260-5 et seq.)
- ☒ Wasteload Allocation from a TMDL or River Basin Plan

18. **EFFLUENT LIMITATIONS/MONITORING:** Provide all limitations and monitoring requirements being placed on each outfall.

SEE TABLE II - ATTACHMENT 5

19. **EFFLUENT LIMITATIONS/MONITORING RATIONALE:** Attach any analyses of an outfall by individual toxic parameter. As a minimum, it will include: statistics summary (number of data values, quantification level, expected value, variance, covariance, 97th percentile, and statistical method); wasteload allocation (acute, chronic and human health); effluent limitations determination; input data listing. Include all calculations used for each outfall and set of effluent limits and those used in any model(s). Include all calculations/documentation of any antidegradation or anti-backsliding issues in the development of any limitations; complete the review statements below. Provide a rationale for limiting internal waste streams and indicator pollutants. Attach chlorine mass balance calculations, if performed. Attach any additional information used to develop the limitations, including any applicable water quality standards calculations (acute, chronic and human health).

SEE ATTACHMENT 6

**OTHER CONSIDERATIONS IN LIMITATIONS DEVELOPMENT:**

**VARIANCES/ALTERNATE LIMITATIONS:** Provide justification or refutation rationale for requested variances or alternatives to required permit conditions/limitations. This includes, but is not limited to: waivers from testing requirements; variances from technology guidelines or water quality standards; WER/translator study consideration; variances from standard permit limits/conditions.

N/A

**SUITABLE DATA:** In what, if any, effluent data were considered in the establishment of effluent limitations and provide all appropriate information/calculations.

All suitable effluent data were reviewed.

**ANTIDEGRADATION REVIEW:** Provide all appropriate information/calculations for the antidegradation review.

The receiving stream has been classified as tier 1; therefore, no further review is needed. Permit limits have been established by determining wasteload allocations that will result in attaining and/or maintaining all water quality criteria that apply to the receiving stream, including narrative criteria. These wasteload allocations will provide for the protection and maintenance of all existing uses (see item 30: comments).

SEE ATTACHMENT 6

**ANTIBACKSLIDING REVIEW:** Indicate if antibacksliding applies to this permit and, if so, provide all appropriate information.

There are no backsliding issues to address in this permit (i.e., limits as stringent or more stringent when compared to the previous permit).

20. **SPECIAL CONDITIONS RATIONALE:** Provide a rationale for each of the permit's special conditions.

SEE ATTACHMENT 7

21. **TOXICS MONITORING/TOXICS REDUCTION AND WET LIMIT SPECIAL CONDITIONS RATIONALE:** Provide the justification for any toxics monitoring program and/or toxics reduction program and WET limit.

N/A

22. **SLUDGE DISPOSAL PLAN:** Provide a description of the sludge disposal plan (e.g., type sludge, treatment provided and disposal method). Indicate if any of the plan elements are included within the permit.

Sludge is hauled by Boggs Water & Sewer to a wastewater treatment plant in the City of Pocomoke, MD. It would be hauled from the facility on an as needed basis. The plan has been included in the VPDES application for approval. The Standard special condition is included in Part I of the permit.

23. **MATERIAL STORED:** List the type and quantity of wastes, fluids, or pollutants being stored at this facility. Briefly describe the storage facilities and list, if any, measures taken to prevent the stored material from reaching State waters.

NONE.

24. **RECEIVING WATERS INFORMATION:** Refer to the State Water Control Board's Water Quality Standards [e.g., River Basin Section Tables (9 VAC 25-260-5 et seq.)]. Use 9 VAC 25-260-140 C (introduction and numbered paragraph) to address tidal waters where fresh water standards would be applied or transitional waters where the most stringent of fresh or salt water standards would be applied. Attach any memoranda or other information which helped to develop permit conditions (i.e. tier determinations, PReP complaints, special water quality studies, STORET data and other biological and/or chemical data, etc).

SEE ATTACHMENT 8

25. **305(b)/303(d) Listed Segments:** Indicate if the facility discharges to a segment that is listed on the current 303(d) list and, if so, provide all appropriate information/calculations.

This facility discharges to an unnamed tributary to Tunnels Mill Br. to Bullbegger Creek. This receiving stream segment had been listed on the 305(b)/303(d) list for protection of shell fish. The outfall is within the TMDL for bacteria:

- 1) Pocomoke Sound & Pocomoke River including Holdens Cr, Bulbegger Cr, and Pitts Cr Bacteria (Shellfish): Fecal Coliform TMDL: EPA approved 4/15/2009
- 2) Chesapeake Bay TMDL: TN, TP, TSS: EPA approved 12/29/2010

Is the facility assigned a WLA from the TMDL?

Yes

If Yes, what is the WLA? Only use EOS Loads for Chesapeake Bay TMDL WLAs

- 1) Fecal Coliform WLA =  $7.57E+07$  MPN/100mL ( based on design flow = 0.01 MGD and 200 MPN / 100 mL permitted FC conc)
- 2) VA0090875 is listed in the Chesapeake Bay TMDL under Bay segment POCOH as a non-significant discharger. Because an aggregated WLA exists, this permit did not receive an individual WLA. The aggregated WLA is presented as a delivered load for each of the impaired 92 Bay segments. (TMDL Report-Appendix Q)



The permit has water quality-based limits for fecal coliform which have been achieved and require compliance with the standard prior to discharge. Given these limits, this facility can neither cause or contribute to a violation of the standards.

26. **CHANGES TO PERMIT:** Use **TABLE III(a)** to record any changes from the previous permit and the rationale for those changes. Use **TABLE III(b)** to record any changes made to the permit during the permit processing period and the rationale for those changes [i.e., use for comments from the applicant, VDH, EPA, other agencies and/or the public where comments resulted in changes to the permit limitations or any other changes associated with the special conditions or reporting requirements].

**SEE ATTACHMENT 9**

27. **NPDES INDUSTRIAL PERMIT RATING WORKSHEET:**

N/A - This is a municipal facility.

28. **DEQ PLANNING COMMENTS RECEIVED ON DRAFT PERMIT:** Document any comments received from DEQ planning.

The discharge is not addressed in any planning document but will be included when the plan is updated.

29. **PUBLIC PARTICIPATION:** Document comments/responses received during the public participation process. If comments/responses provided, especially if they result in changes to the permit, place in the attachment.

**VDH/DSS COMMENTS RECEIVED ON PERMIT APPLICATION:** Document any comments received from the Virginia Dept. of Health and noted how resolved.

The VDH, by letter received on 06/10/16 stated that "No public raw water intakes in VA were found downstream of the discharge point". The DSS, by letter received 06/10/16 stated that "the project will not cause an increase in the size/type of the existing condemned shellfish closure".

**EPA COMMENTS RECEIVED ON DRAFT PERMIT:** Document any comments received from the U.S. Environmental Protection Agency and noted how resolved.

EPA waived the right to comment and/or object to the adequacy of the draft permit.

**ADJACENT STATE COMMENTS RECEIVED ON DRAFT PERMIT:** Document any comments received from an adjacent state and noted how resolved.

Not Applicable.

**OTHER AGENCY COMMENTS RECEIVED ON DRAFT PERMIT:** Document any comments received from any other agencies (e.g., VIMS, VMRC, DGIF, etc.) and noted how resolved.

Not Applicable.

**OTHER COMMENTS RECEIVED FROM RIPARIAN OWNERS/CITIZENS ON DRAFT PERMIT:** Document any comments received from other sources and note how resolved.

The application and draft permit have received public notice in accordance with the VPDES Permit Regulation, and no comments were received.

**PUBLIC NOTICE INFORMATION:** Comment Period: Start Date \_\_\_\_\_, 2016  
End Date \_\_\_\_\_, 2016

Persons may comment in writing or by e-mail to the DEQ on the proposed reissuance of the permit within 30 days from the date of the first notice. Address all comments to the contact person listed below. Written or e-mail comments shall include the name, address, and telephone number of the writer, and shall contain a complete, concise

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statement of the factual basis for comments. Only those comments received within this period will be considered. The Director of the DEQ may decide to hold a public hearing if public response is significant. Requests for public hearings shall state the reason why a hearing is requested, the nature of the issues proposed to be raised in the public hearing and a brief explanation of how the requestor's interests would be directly and adversely affected by the proposed permit action.

All pertinent information is on file and may be inspected, and arrangements made for copying by contacting:

Mr. Robert E. Smithson  
Department of Environmental Quality (DEQ),  
Tidewater Regional Office  
5636 Southern Boulevard  
Virginia Beach, VA 23462

Telephone: 757-518-2106  
E-mail: robert.smithsonjr@deq.virginia.gov

Following the comment period, the Board will make a determination regarding the proposed reissuance. This determination will become effective, unless the Director grants a public hearing. Due notice of any public hearing will be given.

30. ADDITIONAL FACT SHEET COMMENTS/PERTINENT INFORMATION:

The facility utilizes dual ultraviolet (UV) banks for disinfection. Should the facility utilize chlorine feed as a backup in case of power failure, chlorine limitations and language have been added to this permit.

Pocomoke Sound & Pocomoke River, including Bullbegger Creek, had a bacteria (shellfish) TMDL approved by EPA 4/15/09 (SWCB approval 11/14/09). The facility's WLA= 7.57E+07 MPN/100ml was based on their design flow of 0.01 MGD and 200 MPN/100ml permitted fecal coliform concentration. Shellfishing use was removed in 2010 (DSS administrative condemnation). **However, the (fecal coliform) TMDL will remain in effect based on permit requirements** (Permit limits have been established by determining wasteload allocations that will result in attaining and/or maintaining all water quality criteria that apply to the receiving stream, including narrative criteria). Fecal Coliform will be limited (200 MPN/100ml) and monitored 1/Month.

The facility is listed in the Chesapeake Bay TMDL under Bay segment POCOH as a non-significant discharger. Because an aggregated WLA exists, this permit did not receive an individual WLA. The aggregated WLA is presented as a delivered load for each of the impaired 92 Bay segments. (TMDL Report-Appendix Q). Because the facility is listed as part of the Chesapeake Bay TMDL, total phosphorus and total nitrogen monitoring were added. Non-significant dischargers are subject to aggregate wasteload allocations for Total Nitrogen (TN) and Total Phosphorous (TP) under the Total maximum Daily Load (TMDL) for Chesapeake Bay. Monitoring of TN and TP is required in order to verify the aggregate wasteload allocations.

There were no comments received during the public comment period and there were no objections to the reissuance of this VPDES permit for the Oak hall Shopping Center.

ATTACHMENT 1

SITE INSPECTION REPORT/MEMORANDUM



## Virginia Department of Environmental Quality

### TECHNICAL INSPECTION REPORT

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<b>FACILITY NAME:</b> Oak Hall Shopping Center <b>Location :</b> Corner of Highway Route 13 & Route 175 Oak Hall, VA 23415		<b>INSPECTION DATE:</b> 02/03/2016	
<b>PERMIT No.:</b> VA0090875		<b>INSPECTOR:</b> Stephen J. Thomas	
<b>TYPE OF FACILITY:</b> <input checked="" type="checkbox"/> Municipal <input type="checkbox"/> Major <input type="checkbox"/> Industrial <input type="checkbox"/> Minor <input type="checkbox"/> Federal <input checked="" type="checkbox"/> Small Minor <input type="checkbox"/> HP <input type="checkbox"/> LP		<b>REPORT DATE:</b> 02/05/2016	<b>TIME OF INSPECTION:</b> Arrival 0915      Departure 1050
		<b>TOTAL TIME SPENT WITH TRAVEL &amp; REPORT</b>	7.5 hrs.
<b>PHOTOGRAPHS:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<b>UNANNOUNCED INSPECTION?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>REVIEWED BY / Date:</b> Kenneth T. Raum / 02-05-16 <i>KTR</i>			
<b>PRESENT DURING INSPECTION:</b> Rich Padgett & Matt Yetter - ESS			

#### TECHNICAL INSPECTION

1. Has there been any new construction? • If so, were plans and specifications approved? <u>Comments:</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. Is the Operations and Maintenance Manual approved and up-to-date? <u>Comments:</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. Are the Permit and/or Operation and Maintenance Manual specified licensed operator being met? <u>Comments:</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
4. Is there an established and adequate program for training personnel? <u>Comments:</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
5. Are preventive maintenance task schedules being met? <u>Comments:</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
6. Does the plant experience any organic or hydraulic overloading? <u>Comments:</u> * some organic overloading BOD, Grease	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
7. Have there been any bypassing or overflows since the last inspection? <u>Comments:</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
8. Is the standby generator (including power transfer switch) operational and exercised regularly? <u>Comments:</u> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No
9. Is the plant alarm system operational and tested regularly? <u>Comments:</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

## TECHNICAL INSPECTION

10. Is sludge disposed of in accordance with the approved sludge management plan? <u>Comments:</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
11. Is septage received? • If so, is septage loading controlled, and are appropriate records maintained? <u>Comments:</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
12. Are all plant records (operational logs, equipment maintenance, industrial waste contributors, sampling and testing) available for review and are records adequate? <u>Comments:</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
13. Which of the following records does the plant maintain? <input checked="" type="checkbox"/> Operational logs <input checked="" type="checkbox"/> Instrument maintenance & calibration <input checked="" type="checkbox"/> Mechanical equipment maintenance <input type="checkbox"/> Industrial Waste Contribution (Municipal facilities) <u>Comments:</u>	
14. What does the operational log contain? <input checked="" type="checkbox"/> Visual observations <input type="checkbox"/> Flow Measurement <input checked="" type="checkbox"/> Laboratory results <input checked="" type="checkbox"/> Process adjustments <input type="checkbox"/> Control calculations <input type="checkbox"/> Other (specify) _____ <u>Comments:</u>	
15. What do the mechanical equipment records contain? <input checked="" type="checkbox"/> As built plans and specs <input checked="" type="checkbox"/> Manufacturers instructions <input checked="" type="checkbox"/> Lubrication schedules <input type="checkbox"/> Spare parts inventory <input type="checkbox"/> Equipment/parts suppliers <input type="checkbox"/> Other (specify) _____ <u>Comments:</u>	
16. What do the industrial waste contribution records contain (Municipal only)? <input type="checkbox"/> Waste characteristics <input type="checkbox"/> Impact on plant <input type="checkbox"/> Locations and discharge types <input type="checkbox"/> Other (specify)    N/A <u>Comments:</u>	
17. Which of the following records are kept at the plant and available to personnel? <input checked="" type="checkbox"/> Equipment maintenance records <input checked="" type="checkbox"/> Operational log <input type="checkbox"/> Industrial contributor records <input checked="" type="checkbox"/> Instrumentation records <input checked="" type="checkbox"/> Sampling and testing records <u>Comments:</u>	
18. List records not normally available to plant personnel and their location: <u>Comments:</u> N/A	
19. Are the records maintained for the required time period (three or five years)? <u>Comments:</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Permit #

VA0090875

## EFFLUENT FIELD DATA:

Flow	<u>3</u> GPM	Dissolved Oxygen	<u>8.24</u> mg/L	TRC (Contact Tank)	<u>N/A</u> mg/L
pH	<u>6.8</u> S.U.	Temperature	<u>15.4</u> °C	TRC (Final Effluent)	<u>N/A</u> mg/L
Was a Sampling Inspection conducted? <input type="checkbox"/> Yes (see Sampling Inspection Report) <input checked="" type="checkbox"/> No					

## CONDITION OF OUTFALL AND EFFLUENT CHARACTERISTICS:

- Type of outfall: ☒ Shore based ☒ Submerged Diffuser? ☐ Yes ☒ No
- Are the outfall and supporting structures in good condition? ☒ Yes ☐ No
- Final Effluent (evidence of following problems): ☐ Sludge bar ☐ Grease  
☐ Turbid effluent ☐ Visible foam ☐ Unusual color ☐ Oil sheen
- Is there a visible effluent plume in the receiving stream? ☐ Yes ☒ No
- Receiving stream: ☒ No observed problems ☐ Indication of problems (explain below)  
Comments: The area around the outfall stream appeared normal, but some silt was visible at the outfall area. The flow from the upstream SW ditch was light orange in color (Iron Bacteria?). The DO at the outfall area was 9.1 mg/l. Blown trash was visible in the receiving stream.

## INSPECTION OVERVIEW AND CONDITION OF TREATMENT UNITS

Upon arrival at this facility I met with the plant operators and discussed plant operations with them. The plant appeared to be operating normally. The operators are continually fine tuning the plant in order to achieve permit limitations. The facility exceeded permit limits for TSS in November and April, 2015. The TKN was exceeded in February and June 2015.

The facility is currently using InterPac 113 (which contains aluminum chloride) as a daily additive to enhance plant operations. This addition has lowered the effluent pH.

The facility is currently under consent order. One of the items in the schedule of compliance required that system improvements must be complete so the facility meets permit effluent limitations by December 31, 2015. This has not been achieved, and improvements to the system have not begun. In an email dated 11/24/2015 the facility asked for an extension for the system completion until 7/31/2016 (see attached email).

I would like to thank both plant operators for their cooperation during this inspection.

## REQUEST for CORRECTIVE ACTION:

**The plant upgrade needs to be completed ASAP. All permit limits must be met after 12/31/2015.**



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**Smithson Jr., Robert (DEQ)**

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**From:** Cody Hoehna <CodyH@ess-services.com>  
**Sent:** Wednesday, August 03, 2016 5:09 PM  
**To:** Smithson Jr., Robert (DEQ)  
**Cc:** Brandt, John (DEQ); Rich Padgett; Don Hearl; (jck2@aol.com); 'Ken Baybutt'  
**Subject:** RE: Oak Hall Shopping Center- Consent Order and July 31, 2016 Extension Requested

Hey Bob,

I apologize for the delay. We finished the media and the EQ blower improvements a few months ago. Boggs was wrapping up finishing the tanks and flow EQ box last week, and believe they finished the piping in the flow EQ box this week. I believe everything is completed, but I will need to confirm with our operator.

Thanks,

Cody

Cody J. Hoehna, Operations Manager  
Environmental Services Division

Environmental Systems Service, Ltd.  
218 North Main Street  
Culpeper, Virginia 22701

Phone: 540-825-6660

Fax: 540-825-4961

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**From:** Smithson Jr., Robert (DEQ) [<mailto:Robert.SmithsonJr@deq.virginia.gov>]  
**Sent:** Wednesday, August 03, 2016 2:05 PM  
**To:** Cody Hoehna  
**Cc:** Brandt, John (DEQ)  
**Subject:** Oak Hall Shopping Center- Consent Order and July 31, 2016 Extension Requested

Cody,

What is the status of the Oak Hall WWTP upgrades/repairs/improvements. I have not been in the compliance loop in this matter.

**Brandt, John (DEQ)**

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**From:** Cody Hoehna <CodyH@ess-services.com>  
**Sent:** Monday, June 27, 2016 5:05 PM  
**To:** Brandt, John (DEQ)  
**Cc:** rich\_padgette@yahoo.com; Don Hearl; Thomas, Stephen (DEQ); (jck2@aol.com)  
**Subject:** RE: Oak Hall Update

Hello John,

Just wanted to give you a quick update on the plant. TKN passed for months of May and June. The EQ upgrades and MBBR media were completed after our monthly sample for June.

July should be representative of the new upgrades.

Boggs work hasn't started yet, but they anticipate completion before the end of July.

Thanks,

Cody

Cody J. Hoehna, Operations Manager  
Environmental Services Division

Environmental Systems Service, Ltd.  
218 North Main Street  
Culpeper, Virginia 22701

Phone: 540-825-6660  
Fax: 540-825-4961

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**From:** Brandt, John (DEQ) [<mailto:John.Brandt@deq.virginia.gov>]  
**Sent:** Monday, April 18, 2016 10:48 AM  
**To:** Cody Hoehna  
**Cc:** rich\_padgette@yahoo.com; Don Hearl; Thomas, Stephen (DEQ)  
**Subject:** RE: Oak Hall Update

Thanks Cody for the update! Please contact me as Steve noted regarding future updates regarding Oak Hall.

John

John M. Brandt  
Regional Enforcement Manager  
Department of Environmental Quality  
Tidewater Regional Office  
5636 Southern Blvd  
Virginia Beach, VA 23462  
757-518-2010  
757-518-2009 (fax; email preferred)  
[john.brandt@deq.virginia.gov](mailto:john.brandt@deq.virginia.gov)  
[www.deq.virginia.gov](http://www.deq.virginia.gov)

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**From:** Thomas, Stephen (DEQ)  
**Sent:** Monday, April 18, 2016 7:39 AM  
**To:** Cody Hoehna  
**Cc:** Brandt, John (DEQ); rich\_padgette@yahoo.com; 'donh@ess-services.com'  
**Subject:** RE: Oak Hall Update

Cody, Robin is no longer with DEQ. Please contact Mr. John Brandt.  
SJT

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**From:** Cody Hoehna [<mailto:CodyH@ess-services.com>]  
**Sent:** Friday, April 15, 2016 5:55 PM  
**To:** Robin J. Schuhmann ([Robin.Schuhmann@deq.virginia.gov](mailto:Robin.Schuhmann@deq.virginia.gov))  
**Cc:** Thomas, Stephen (DEQ); Rich Padgett; Don Hearl; ([jck2@aol.com](mailto:jck2@aol.com))  
**Subject:** Oak Hall Update

Hello Robin,

I wanted to give you brief update on the project and status of the plant. We met TKN limits barely for March, was 3.0 mg/L.

We're waiting on Boggs for an updated schedule for the site work.

We have ordered the EQ blower and MBBR Media. EQ blower has arrived, still waiting on the MBBR media. We have the EQ blower scheduled for next week to begin installation.

Thanks,

Cody

Cody J. Hoehna, Operations Manager  
Environmental Services Division

Environmental Systems Service, Ltd.  
218 North Main Street  
Culpeper, Virginia 22701

Phone: 540-825-6660  
Fax: 540-825-4961

**Thomas, Stephen (DEQ)**

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**From:** Schuhmann, Robin (DEQ)  
**Sent:** Tuesday, December 01, 2015 1:47 PM  
**To:** Cody Hoehna  
**Cc:** Thomas, Stephen (DEQ)  
**Subject:** RE: Oak Hall WWTP, Compliance Update

Cody,

Thank you for sending an updated report regarding the plant upgrades. Since the schedule is incorporated into the Consent Order, we cannot provide additional time without amending the Consent Order, going through another round of internal review, public notice, etc. which would at best take 2-3 months to complete and would not help in meeting the December 31<sup>st</sup> deadline. We understand unforeseen circumstances can delay projects and typically, barring new information, we expect to be able to exercise enforcement discretion for a reasonable amount of time regarding the December completion date listed in the Order at Appendix A.

Please give me a call if you have any questions or would like to discuss this email.

Thank you,

Robin J. Schuhmann, MES  
 Enforcement Specialist Senior II  
 Department of Environmental Quality  
 Tidewater Regional Office  
 5636 Southern Blvd  
 Virginia Beach, Virginia 23462  
 Phone: (757) 518-2134  
[Robin.Schuhmann@deq.virginia.gov](mailto:Robin.Schuhmann@deq.virginia.gov)  
[www.deq.virginia.gov](http://www.deq.virginia.gov)

---

**From:** Cody Hoehna [<mailto:CodyH@ess-services.com>]  
**Sent:** Tuesday, November 24, 2015 2:50 PM  
**To:** Schuhmann, Robin (DEQ)  
**Cc:** Thomas, Stephen (DEQ); Don Hearl; ([jck2@aol.com](mailto:jck2@aol.com)); [rich\\_padgette@yahoo.com](mailto:rich_padgette@yahoo.com)  
**Subject:** Oak Hall WWTP, Compliance Update

Robin,

Please see the attached letter. The proposals have been received for the plant upgrades at the end of October and early November. This does not allow for enough time for material to be ordered, received, and installed prior to December 31<sup>st</sup>. Therefore we have requested that the DEQ consider allowing this work completion to be extended until July 31<sup>st</sup> of 2016.

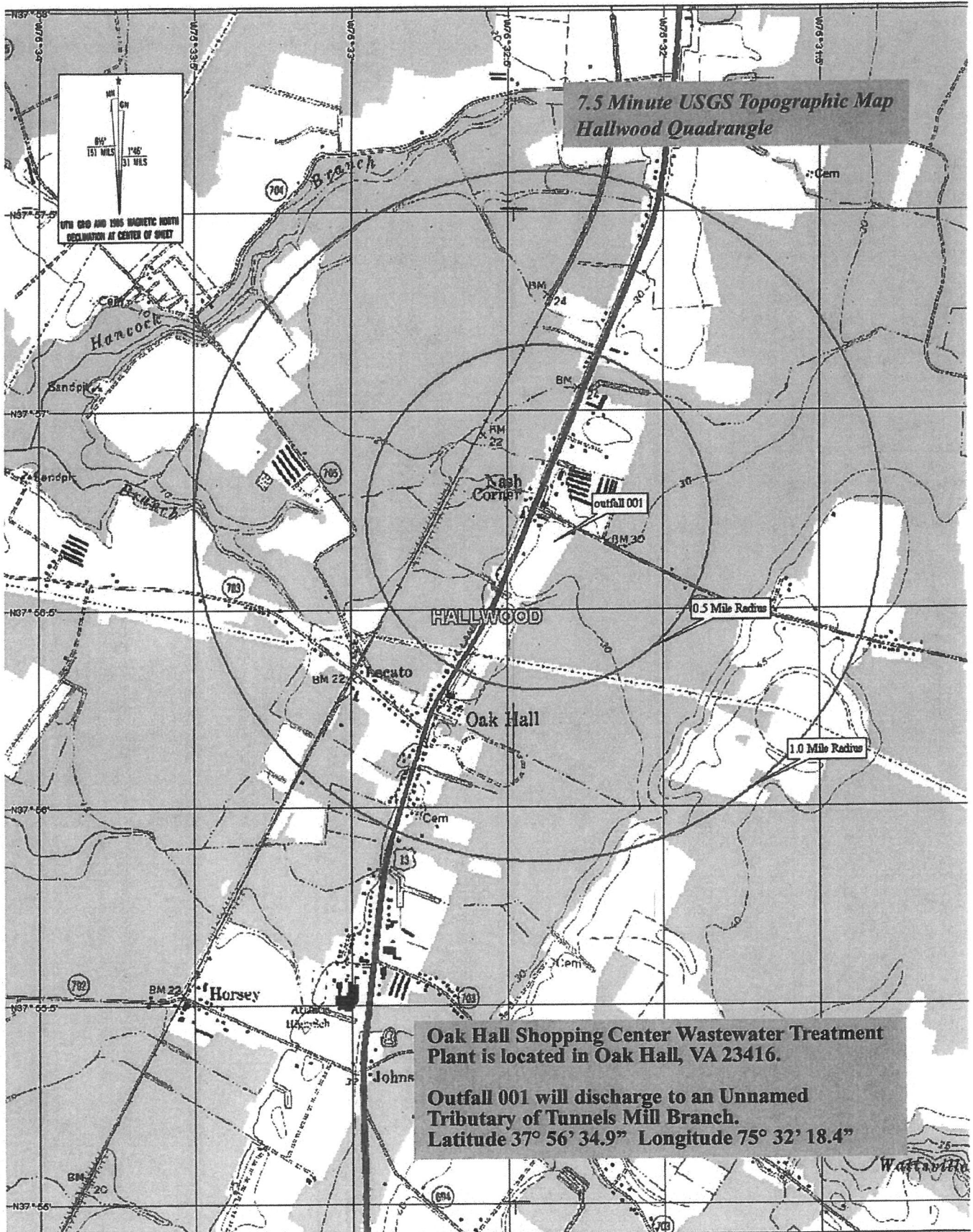
Let me know if you have any questions, concerns, or approve this request?

Thank you,

Cody

ATTACHMENT 2

DISCHARGE LOCATION/TOPOGRAPHIC MAP



D TopoQuads Copyright © 1999 DeLorme Yarmouth, ME 04096 Source Data: USGS

700 ft Scale: 1:24,000 Detail: 13-1 Datum: WGS84

ATTACHMENT 3

SCHEMATIC/PLANS & SPECS/SITE MAP/



**RAW WW** → **7,500 Gal Septic Tank** → **EQ & Pump Station Holding Tank** → **1,000 Gal Septic Tank** → **4,000 Gal EQ Tank** → **Filter Feed Pumps** → **36" Diameter Continuous Backwash Filter** → **UV Disinfection** → **FINAL EFFLUENT**

The process also includes two **Bioclere Trickling Filter Units** (1 and 2) and a **Pre-Aeration Tank w/ Bio-Matrix Media**. The effluent from the **4,000 Gal EQ Tank** flows into **Bioclere Trickling Filter Unit 2**, then to **Bioclere Trickling Filter Unit 1**, and finally to the **36" Diameter Continuous Backwash Filter**. The effluent from the **36" Diameter Continuous Backwash Filter** flows into **UV Disinfection**.

There are also two **Blowers** and an **Air Compressor** in the system. One **Blower** is connected to the **Pre-Aeration Tank w/ Bio-Matrix Media**. The other **Blower** is connected to the **36" Diameter Continuous Backwash Filter**. The **Air Compressor** is connected to the **Pre-Aeration Tank w/ Bio-Matrix Media**.

## ATTACHMENT 4

## TABLE I - DISCHARGE/OUTFALL DESCRIPTION

TABLE I  
NUMBER AND DESCRIPTION OF OUTFALLS

OUTFALL NO.	DISCHARGE LOCATION	DISCHARGE SOURCE (1)	TREATMENT (2)	FLOW (3)
001	37°56'34.9" 75°32'18.4"	Domestic wastewater from grocery & retail stores	Treatment consists of grease trap, primary settling tank(s), aeration/trickling filtration, tertiary sand filtration (TKN removal) and UV light disinfection	0.01 MGD

- (1) List operations contributing to flow  
(2) Give brief description, unit by unit  
(3) Give maximum 30-day average flow for industry and design flow for municipal

## ATTACHMENT 5

## TABLE II - EFFLUENT MONITORING/LIMITATIONS

TABLE II - MUNICIPAL EFFLUENT LIMITATIONS/MONITORING

OUTFALL # 001 DESIGN FLOW: 0.01 MGD  
 Outfall Description: Domestic wastewater from small shopping center  
 SIC CODE: 4952

(X) Final Limits ( ) Interim Limits Effective Dates - From: reissuance date To: expiration date

PARAMETER & UNITS	BASIS FOR LIMITS	DESIGN FLOW MULTIPLIER	EFFLUENT LIMITATIONS				MONITORING REQUIREMENTS	
			MONTHLY AVERAGE	WEEKLY AVERAGE	MINIMUM	MAXIMUM	FREQUENCY	SAMPLE TYPE
Flow (MGD) 2 [a]	3	0.01	NL	NA	NA	NL	1/Day	Estimate
pH (S.U.)	3		NA	NA	6.0	9.0	1/Day	Grab
CBOD5 (mg/l) [c]	3		10	15	NA	NA	1/Month	Grab
CBOD5 (kg/d)	3	0.01	0.38	0.57	NA	NA	1/Month	Grab
TSS (mg/l) [c]	3		10	15	NA	NA	1/Month	Grab
TSS (kg/d)	3	0.01	0.38	0.57	NA	NA	1/Month	Grab
TRC (mg/l) [b] [c]	2	0.01	0.008	0.010	NA	NA	1/Day	Grab
D.O. (mg/l)	3		NA	NA	6.0	NA	1/Day	Grab
Fecal Coliform (N/CML)	2		200	NA	NA	NA	1/month (Between 10 am & 4 pm)	Grab
e. coli (#/100ml) [b]	2		126	NA	NA	NA	1/week (Between 10 am & 4 pm)	Grab
Total. Kjeldahl Nitrogen (TKN) (mg/l) [c]	3		3.0	4.5	NA	NA	1/Month	Grab
Total Kjeldahl Nitrogen (TKN) (kg/d)	3	0.01	0.11	0.17	NA	NA	1/Month	Grab
Total Phosphorus (mg/l)	3		NL	NA	NA	NA	1/Month	Grab

PARAMETER & UNITS	BASIS FOR LIMITS	DESIGN FLOW MULTIPLIER	EFFLUENT LIMITATIONS				MONITORING REQUIREMENTS	
			MONTHLY AVERAGE	WEEKLY AVERAGE	MINIMUM	MAXIMUM	FREQUENCY	SAMPLE TYPE
Nitrite + Nitrate (mg/l) [d]	3		NL	NA	NA	NA	1/Month	Grab
Total Nitrogen (mg/l) [d]	3		NL	NA	NA	NA	1/Month	calculated

TABLE II - MUNICIPAL EFFLUENT LIMITATIONS/MONITORING

NA = Not Applicable.

NL = No limitation, however, reporting is required.

Upon reissuance of the permit, Discharge Monitoring Reports (DMRs) shall be submitted to the regional office at the frequency required by the permit regardless of whether an actual discharge occurs. In the event that there is no discharge for the monitoring period, then "no discharge" shall be reported on the DMR.

[a] See Part I.C.5. for exceeding 95% of the design capacity three months consecutively.

[b] See Part I.B. for additional chlorine limitations and monitoring requirements.

[c] See Parts I.C.6. and I.C.7. for quantification levels and reporting requirements, respectively.

[d] Total Nitrogen, which is the sum of Total Kjeldahl Nitrogen and Nitrates plus Nitrites, shall be derived from the results of those tests

2. At least 85% removal for BOD and TSS must be attained for this effluent.

3. The design flow of this treatment facility is 0.010 MGD.

4. There shall be no discharge of floating solids or visible foam in other than trace amounts.

The bases for the limitations codes are:

1. Technology (e.g., Federal Effluent Guidelines)
2. Water Quality Standards (9 VAC 25-260 et. seq.)
3. Professional Judgment

**TABLE II - MUNICIPAL MINOR EFFLUENT LIMITATIONS**

Attachment 2 continued

Final Chlorine Limitations Effective Dates -				From: permit issuance		To: permit expiration				
TRC **	AFTER CL2 CONTACT TANK (Dechlor. Required)			AFTER DECHLORINATIO		AFTER CL2 CONTACT TANK (Dechlor. Not Required)				
	MIN.	EXC	INST. MIN.	WKLY AVG.	INST. MAX.	PERMIT RANGE	EXC	REPORT-ING RANGE	EXC.	TECH. MAX.
a) Non-Detect. Dechlor. Required	1.0	3	0.6 mg/l	.010 mg/l	---	NA	NA	NA	NA	NA
b) Detect. Dechlor. Required	---	---	---	---	---	NA	NA	NA	NA	NA
c) No Dechlor.	NA	NA	NA	NA	NA	---	---	---	---	---

\*Totalizing, Indicating & Recording Equipment

\*\* --Chlorine mass balance  $C_w$  (W for Tidal systems): check one

☒ a)  $C_w < 0.1$  mg/l [dechlor. required, non-detectable format]

☐ b)  $0.1 \text{ mg/l} \leq C_w < 2.0$  mg/l (2.5 mg/l for PWS, Shellfish waters) [dechlor. required, detectable format]

☐ c)  $C_w > 2.0$  mg/l (2.5 mg/l for PWS, Shellfish waters) [dechlor. not required, include a restrictive technology max. value]

The design flow of this treatment facility is 0.01 MGD.

NA = NOT APPLICABLE; NL = NO LIMIT, MONITORING REQUIREMENT ONLY

I.S. = Immersion Stabilization

See Part I.B. for additional TRC limitations.



ATTACHMENT 6

EFFLUENT LIMITATIONS/MONITORING  
RATIONALE/SUITABLE DATA/  
ANTIDEGRADATION/ANTIBACKSLIDING

## ATTACHMENT 6

### VPDES PERMIT PROGRAM

#### Rationale for Effluent Limitations and Monitoring

Monitoring frequency for CBOD5, TSS, TKN and FECAL COLIFORM will be 1/month. E. coli is 1/week and all other parameters will be monitored 1/D, based upon a design flow of 0.01 MGD and best professional judgement.

Limitations were based upon best professional judgement, with the exception of TRC, e. coli and fecal coliform, which are based upon water quality standards.

#### OUTFALL 001

**Flow:** No limit; monitoring 1/day, estimate - standard requirement for a municipal permit with this design flow.

**pH:** Minimum of 6.0 s.u., maximum of 9.0 s.u. - BPJ to protect water quality in the receiving stream.

#### CBOD5

& TSS: Monthly average limit of 10 mg/l (0.38 kg/d) and a weekly average limit of 15 mg/l (0.57 kg/d) were based upon best professional judgement and OWPP guidance (reference attachment 4-3 for details and basis); grab sample

**TKN:** Monthly average limit of 3 mg/l (.11 kg/d) and a maximum limit of 4.5 mg/l (.17 kg/d) were based upon best professional judgement and OWPP guidance (reference attachment 4-3 and 4-4 for details and basis); grab sample.

**D.O.:** Limit of 6.0 mg/l minimum; grab sample - BPJ and OWPP guidelines on swamp limitations (reference attachment 4-3 and 4-4).

**TRC:** Limits of .008 mg/l monthly average and .010 mg/l weekly average are included in this permit based upon modeling results. This is in accordance with the VPDES Permit Manual (reference attachment 4-3 and recent OWPS Guidance dated May 7, 1998 -attachment 10-4).

**Fecal Coliform:** Limit of 200 N/CML (geometric mean) monthly average is based upon the TMDL requirements and WLA (see TMDL discussion at bottom of page). Fecal Coliform will be limited (200 MPN/100ml) and monitored 1/Month. The (fecal coliform) TMDL will remain in effect based on permit requirements (permit limits have been established by determining wasteload allocations that will result in attaining and/or maintaining all water quality criteria that apply to the receiving stream, including narrative criteria).

**E. coli:** Limit of 126 #/100ml CML (geometric mean) monthly average required by Water Quality Standards, 9 VAC 25-260-170.A.2.: new bacterial standards. These standards became effective as of January 15, 2003, as did the revised disinfection policy of 9 VAC 25-260-170.B. The disinfection policy of 9 VAC 25-260-170.B. requires that all effluents attain the applicable bacteria concentration stated in 9 VAC 25-260-170.A.2. prior to discharge when utilizing an alternative to chlorination as a disinfection method (UV light).

**T. Phosphorus:** monitoring only 1/Month; Nonsignificant dischargers are subject to aggregate wasteload allocations for Total Nitrogen (TN) and Total Phosphorous (TP) under the Total maximum Daily Load (TMDL) for Chesapeake Bay. Monitoring of TN and TP is required in order to verify the aggregate wasteload allocations.

**T. Nitrogen:** monitoring only 1/Month; Nonsignificant dischargers are subject to aggregate wasteload allocations for Total Nitrogen (TN) and Total Phosphorous (TP) under the Total maximum Daily Load (TMDL) for Chesapeake Bay. Monitoring of TN and TP is required in order to verify the aggregate wasteload allocations.

**Nitrite + Nitrate:** monitoring only 1/Month; Nonsignificant dischargers are subject to aggregate wasteload allocations for Total Nitrogen (TN) and Total Phosphorous (TP) under the Total maximum Daily Load (TMDL) for Chesapeake Bay. A Nitrite + Nitrate value is needed to calculate TN.

No ammonia limitation is needed since a TKN limit of 3.0 mg/l protects the receiving stream from ammonia-N toxicity (see rationale page 28).

**TMDLs :** This receiving stream segment has been listed on the 305(b)/303(d) list for protection of shell fish. This facility discharges to an unnamed tributary to Bullbagger Creek. Pocomoke Sound & Pocomoke River, including Bullbagger Creek, had a bacteria (shellfish) TMDL approved by EPA 4/15/09 (SWCB approval 11/14/09). The facility's WLA=  $7.57E+07$  MPN/100ml was based on their design flow of 0.01 MGD and 200 MPN/100ml permitted fecal coliform concentration. Shellfishing use was removed in 2010 (DSS administrative condemnation). However, the (fecal coliform) TMDL will remain in effect based on permit requirements. Given these limits, this facility can neither cause or contribute to a violation of the standards.

#### ANTIDEGRADATION REVIEW

The receiving stream has been classified as tier 1; therefore, no further review is needed. Permit limits have been established by determining wasteload allocations which will result in attaining and/or maintaining all water quality criteria which apply to the receiving stream, including narrative criteria. These wasteload allocations will provide for the protection and maintenance of all existing uses.

There are *no antibacksliding issues* to address in this permit reissuance

ATTACHMENT 7

SPECIAL CONDITIONS RATIONALE

ATTACHMENT 7  
VPDES PERMIT PROGRAM  
LIST OF SPECIAL CONDITIONS RATIONALE

Name of Condition:

B. Additional Total Residual Chlorine (TRC) Limitations and Monitoring Requirements

Rationale: Required by Water Quality Standards, 9VAC 25-260-170, Fecal coliform bacteria; other waters. Also, 40 CFR 122.41(e) requires the permittee, at all times, to properly operate and maintain all facilities and systems of treatment in order to comply with the permit. This ensures proper operation of chlorination equipment to maintain adequate disinfection.

C. OTHER REQUIREMENTS OR SPECIAL CONDITIONS

1. Reopeners

a. Sludge Reopener

Rationale: Required by the VPDES Permit Regulation, 9 VAC 25-31-220 C., and 40 CFR 122.44 (c)(4), which note that all permits for domestic sewage treatment plants (including sludge-only facilities) include any applicable standard for sewage sludge use or disposal promulgated under section 405(d) of the Clean Water Act.

b. Total Maximum Daily Load (TMDL) Reopener

Rationale: For specified waters, Section 303(d) of the Clean Water Act requires the development of total maximum daily loads necessary to achieve the applicable water quality standards. The TMDL must take into account seasonal variations and a margin of safety. In addition, Section 62.1-44.19:7 of the State Water Control Law requires the development and implementation of plans to address impaired waters, including TMDLs. This condition allows for the permit to be either modified or, alternatively, revoked and reissued to incorporate the requirements of a TMDL once it is developed. In addition, the reopener recognizes that, in accordance to Section 402(o)(1) of the Clean Water Act, limits and/or conditions may be either more or less stringent than those contained in this permit. Specifically, they can be relaxed if they are the result of a TMDL, basin plan or other wasteload allocation prepared under Section 303 of the Act.

2. Licensed Operator Requirement

Rationale: The Permit Regulation, 9 VAC 25-31-200 D and Code of Virginia 54.1-2300 et. seq., Rules and Regulations for Waterworks and Wastewater Works Operators (18 VAC 160-20-10 et seq.) requires licensure of operators.

3. Reliability Class

Rationale: Required by Sewage Collection and Treatment Regulations, 12 VAC 5-581-20 and 120 for all municipal facilities.

4. CTC, CTO and O & M Manual Requirements

Required by the State Water Control Law, Section 62.1-44.19; the Sewage Collection and Treatment Regulations (12 VAC 5-581 et seq); Section 401 of the Clean Water Act; 40 CFR 122.41(e); and the VPDES Permit Regulation (9 VAC-25-31-190E).

5. 95% Design Capacity Notification

Rationale: Required by the VPDES Permit Regulation, 9 VAC 25-31-200 B.2. for all POTW and PVOTW permits. Best professional judgement is used to apply this condition to other (private) municipal treatment facilities.

ATTACHMENT 7  
VPDES PERMIT PROGRAM  
LIST OF SPECIAL CONDITIONS RATIONALE

6. Quantification Levels Under Part I.A.

Rationale: States are authorized to establish monitoring methods and procedures to compile and analyze data on water quality, as per 40 CFR part 130, Water Quality Planning and Management, subpart 130.4.

7. Compliance Reporting Under Part I.A.

Rationale: Defines reporting requirements for toxic parameters with quantification levels to ensure consistent, accurate reporting on submitted reports.

8. Sludge Management Plan

Rationale: The VPDES Permit Regulation, 9 VAC 25-31-420, and 40 CFR 503.1 specify the purpose and applicability for sludge management plans. The VPDES Permit Regulation, 9 VAC 25-31-100 J.4., also sets forth certain detailed information which must be included in a sludge management plan. The VPDES sewage sludge permit application form and its attachments constitute the sludge management plan and will be considered for approval with the VPDES permit. In addition, the Sewerage Regulations (12 VAC 5-580-10 et seq.) specifies that sludge management activities not specifically provided for through approval of design plans and specifications shall be described in a sludge management plan submitted by the owner to the Department and Board for review and approval. In addition, the Biosolids Use Regulation, 12 VAC 5-585-330 and 340, specifies the general purpose and control requirements for an O&M manual in order to facilitate proper O&M of the facilities to meet the requirements of the regulation.

ATTACHMENT 8

RECEIVING WATERS INFO./  
TIER DETERMINATION/STORET DATA/  
STREAM MODELING



Analysis of the Oak Hall Shopping Center effluent data for chlorine  
Averaging period for standard = 4 days

The statistics for chlorine are:

Number of values	=	3
Quantification level	=	100
Number < quantification	=	0
Expected value	=	2433.333
Variance	=	2131599
C.V.	=	.6
97th percentile	=	5921.315
Statistics used	=	Reasonable potential assumptions - Type 2 data

The WLAs for chlorine are:

Acute WLA	=	19
Chronic WLA	=	11
Human Health WLA	=	----

Limits are based on chronic toxicity and 30 samples/month, 8 samples/week

Maximum daily limit	=	16.08832
Average weekly limit	=	9.596767
Average monthly limit	=	7.973714

or .0095 mg/L (.010)  
or .0079 mg/L (.008)

Note: The maximum daily limit applies to industrial dischargers  
The average weekly limit applies to POTWs  
The average monthly limit applies to both.

The Data are

09-27-2001

CRITERION FOR X-Tributary to Tunnels Mill Branch at Oak Hall Shopping Center VA0090875  
Units = ug/l unless noted as mg/l

PARAMETER	CRITERIA			QL	WLAa	WLAc	WLAh
	Acute	Chronic	HH				
NH3-N, mg/l	14.49	2.49		0.2	14.48848	2.492394	
Ammonia Acute criteria is one hour average conc., Chronic criteria is 30-day average conc.							
Acenaphthene			2700	10			2700
Aldrin	3	.3	.0014	0.05	3	.3	.0014
Anthracene			110000	10			110000
Antimony			4300	10			4300
AS III	360	190		10	360	190	
Benzene			710	10			710
Benzo(a)anthracene			.49	10			.49
Benzo(b)fluoranthene			.49	10			.49
Benzo(k)fluoranthene			.49	10			.49
Benzo(a)pyrene			.49	10			.49
Bromoform			3600	10			3600
Butyl benzyl phthalate			5200	10			5200
Cadmium	3.92	1.13		1	3.922119	1.134259	
Carbon Tetrachloride			45	10			45
Chlordane	2.4000	0.0043	0.0059	0.2	2.4	.0043	.0059
Chloride, mg/l	860	230			860	230	
Chlorine Total Residual	19	11		100	19	11	
Chlorodibromomethane			57000	10			57000
Chloroform			4700	10			4700
Chlorophenol			400	20			400
Chlorpyrifos	.083	.041		0.2	.083	.041	
CR III	1736.514	206.983		10	1736.514	206.9825	
CR VI	16	11		10	16	11	
Chrysene			.49	10			.49

PARAMETER	CRITERIA			QL	WLAa	WLAc	WLAh
	Acute	Chronic	HH				
Copper	17.725	11.824		10	17.72527	11.82384	
Cyanide	22	5.2	215000	10	22	5.2	215000
DDD			.0084	0.1			.0084
DDE			.0059	0.1			.0059
DDT	1.1	.001	.0059	0.1	1.1	.001	.0059
Demeton		.1				.1	
Dibenz(a,h)anthracene			.49	20			.49
Dibutyl phthalate			12000	10			12000
Dichloromethane			16000	20			16000
1,2-Dichlorobenzene			17000	10			17000
1,3-Dichlorobenzene			2600	10			2600
1,4-Dichlorobenzene			2600	10			2600
Dichlorobromomethane			460	10			460
1,2-Dichloroethane			990	10			990
1,1, Dichloroethylene			17000	10			17000
2,4, Dichlorophenol			790	10			790
Dieldrin	2.5	.0019	.0014	0.1	2.5	.0019	.0014
Diethyl phthalate			120000	10			120000
Di-2-EthylhexylPhthalate			59	10			59
2,4, Dimethylphenol			2300	10			2300
2,4-Dinitrotoluene			91	10			91
Endosulfan*	.22	.056	240	0.1	.22	.056	240
Endrin	.18	.0023	.81	0.1	.18	.0023	.81
Ethylbenzene			29000	10			29000
Fluoranthene			370	10			370
Fluorene			14000	10			14000

PARAMETER	CRITERIA			QL	WLAa	WLAc	WLAh
	Acute	Chronic	HH				
Buthion		.01				.01	
Heptachlor	.52	.0038	.0021	0.05	.52	.0038	.0021
Hexachlorocyclohexane	2	.08	25	0.05	2	.08	25
Hydrogen Sulfide		2				2	
Indeno (1,2,3cd) pyrene			.49	20			.49
Isophorone			490000	10			490000
Kepone		0				0	
Lead	118.912	13.509		5	118.9118	13.50935	
Malathion		.1				.1	
Mercury	2.4	.012	.053	0.2	2.4	.012	.053
Methoxychlor		.03		0.2		.03	
Mirex		0				0	
Monchlorobenzene			21000	50			21000
Nickel	182.724	20.327	4600	40	182.7236	20.32748	4600
Nitrobenzene			1900	10			1900
Parathion	.065	.013			.065	.013	
PCB (check isomer**)		.014	.00045	1		.014	.00045
Pentachlorophenol	14.992	9.464	82	50	14.99175	9.464044	82
Phenol			4600000	10			4600000
Pyrene			11000	10			11000
Radionuclides:							
Gross Alpha Particle			15 pCi/l				
Beta Particle and Photon Activity			4 mrem				
Strontium-90			8 pCi/l				
Tritium			20,000 pCi/l				

PARAMETER	CRITERIA			QL	WLAa	WLAc	WLAh
	Acute	Chronic	HH				
Selenium	20	5	11000	5	20	5	11000
Silver	4.059			2	4.058822		
Tetrachloroethylene			3500	10			3500
Toluene			200000	10			200000
Toxaphene	.73	.0002	.0075	5	.73	.0002	.0075
1,2,4, Trichlorobenzene			950	10			950
Trichlorethylene			810	10			810
2,4,6-Trichlorophenol			65	10			65
Tributyltin	.46	.026			NA	.026	
Vinyl Chloride			5300	10			5300
Zinc	117.022	105.992		20	117.0219	105.9917	

Criterion also applicable for D.O., pH, Temp. and Dioxin

All metals shall be measured as dissolved. For Cadmium, Chromium III, Copper, Lead, Nickel, Silver and Zinc, multiply number by water effect ratio (WER), as defined in 9 VAC 25-260-140.F.

Chronic aquatic life criteria applies to methyl mercury. This criteria will protect the marketability of natural resources, e.g. fish and shellfish.

\* Endosulfan I-0.014, Endosulfan II-0.004, Endosulfan Sulfate-0.066

\*\* PCB 1242, 1254, 1221, 1232, 1248, 1260 or 1016 (only 1242 has a detection level)

If background data are available correct the WLA by subtracting the product of background concentration and the appropriate factor (Q7/QE, Q1/QE, Q30/QE, QH/QE, 0, 1 or 49)

If receiving waters are transitional, run fresh and salt and use most stringent

#### INPUT INFORMATION:

Receiving stream is X-Tributary to Tunnels Mill Branch - fresh

PWS = n	Lake, marsh or swamp = n	Contaminated stormwater = n
90th percentile Temperature = 23.6		90th percentile pH = 7.5
Effluent hardness = 100		Stream hardness = 100
1Q10 = 0	7Q10 = 0	30Q5 = 0
IWCa = 1	IWCc = 1	Harmonic mean = 0
Flow Ratios: Q1/QE= 0	Q7/QE= 0	Q30/QE= 0
		QH/QE= 0
		Effluent flow = .01

39

MEMORANDUM  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
TIDEWATER REGIONAL OFFICE

Pembroke Two - Suite 310

Virginia Beach, VA 23462

SUBJECT: Recommended Effluent Limitations for the ~~Edgewood Mobile Home~~  
~~Park's STP~~ - Unnamed Tributary to Tunnels Mill Branch, Accomack,  
VA

TO: Permit File via Bob Smithson

FROM: *SAC* Stephen Cioccia via Bob Jackson *R*

DATE: December 5, 1994

COPIES: Modeling File

The subject facility discharges to a dry ditch tributary (a drainage ditch system, which has a 7Q10 of zero) of Tunnels Mill Branch. The receiving stream is basically an intermittent stream/dry ditch system which conveys the discharge via drainage ditches to Tunnels Mill Branch, which is a perennial stream.

The proposed effluent limitations to address oxygen demand are:

cBOD = 10 mg/l

TSS = 10 mg/l

TKN = 3 mg/l

D.O. = 5 mg/l

A Best Engineering Judgement (BEJ) approach is employed to determine appropriate effluent limitations to address oxygen demand. Recent draft OWRM guidance (see Attachment 1) indicates a discharge to a stream with a 7Q10 of zero would require a discharge that is "self sustaining so to comply with water quality standards". The guidance titled "Advisory Notification of Effluent Limits for Swamp and Marsh Waters", March 9, 1987 (see Attachment 2), identifies effluent limits that are "representative of effluents that are self sustaining". We propose use of the 'Swamp and Marsh Waters' effluent limitations with the substitution of a D.O. of 5 mg/l to equal the D.O. standard at the discharge point. This will result in proposed effluent limitations of 10/10/3/5 (cBOD/TSS/TKN/D.O.). This will be in concert with the guidance and consistent with effluent limitations imposed on similar discharges.

There is some question as to whether the proposed effluent limitations will be adequate to maintain the applicable water quality standards specified by the Class III stream classification (instream D.O. of 5 mg/l). However, all available information indicates that limits at least as stringent as 10/10/3/5 are required. We recommend that monitoring of the receiving stream be conducted by DEQ, at a time after the final limitations have become effective, in order to verify that these proposed limitations will maintain standards.

MEMORANDUM

Office

Environmental Research and Standards  
State Water Control Board

2111 N. Hamilton Street P. O. Box 11143 Richmond, Virginia 23230

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SUBJECT: Advisory Notification of Effluent Limits for Swamp and Marsh Waters

TO: L. G. Lawson

FROM: A. J. Anthony *AJA*

DATE: March 9, 1987

COPIES: M. A. Bellanca, W. L. Woodfin, M. D. Phillips, J. W. Gregory, Regional Directors, file

In the event that a proposal is received for discharge to a swamp or marsh that cannot be modeled and the current standards are being violated for whatever reason, OERS recommends the following effluent limits:

CBOD <sub>5</sub> =	10 mg/l
TSS =	10 mg/l
TKN =	3 mg/l
D.O. =	3 mg/l
Cl <sub>2</sub> =	0.011 mg/l

Our rationale for these recommendations are as follow:

1. We have found over the past years, through application of modeling technology to small streams, that the above limits are representative of effluents that are "self-sustaining"; that is: such an effluent will not normally violate the stream standard even if the stream consists of 100% effluent.

Given the fact that the areas of intended application of our recommendations are such that the stream will not possess good mixing processes and may in fact contain 100% effluent for significant distances and times render it necessary, in our opinion, that discharges be essentially of "self-sustaining" quality.

2. CBOD<sub>5</sub> — We are recommending nitrification and consequently CBOD<sub>5</sub> is what will be measured. In addition, we believe that where both unoxidized nitrogen and hydrocarbons are limited due to considerations of stream dissolved oxygen, it is correct and reasonable to specify them separately to avoid double counting their impacts.

Attachment 2.

41

TELEPHONE DOCUMENTATION

SUBJECT : AMMONIA LIMIT CALCULATIONS UNNECESSARY WITH TKN  
SWAMP/MARSH LIMIT

WRITTEN BY: R. E. Smithson

DATE: August 18, 1993

TO : Permit Factsheet

DISCUSSION: R. M. Smith and I spoke with Fred Holt on this date concerning the need for ammonia limit calculations when swamp/marsh TKN limits apply. He informed us that a TKN limit of 3 mg/l is stringent enough to protect any receiving stream from ammonia toxicity, hence an NH<sub>3</sub> limit would be unnecessary. This applies, as well, when antidegradation is being considered because of tier 2 waters. Ammonia limit calculations using baseline data is not necessary.

CONSIDERATION: Should a draft permit include tiered TKN limits in the summer and ammonia limits in the winter to assist the permittee in meeting denitrification requirements, antidegradation may be a consideration when calculating NH<sub>3</sub>. If the receiving waters are tier 2, then NH<sub>3</sub> baseline data must be utilized.

cc: R. M. Smith,

cc: R. P. Goode



# Planning Permit Review

42

**Date:** 6/23/2016

**To:** Kristie Britt, TRO

**Permit Writer:** R.E. Smithson

**Facility:** Oak Hall Shopping Center WWTP

**Permit Number:** VA0090875

**Issuance, Reissuance or Modification (if Modification describe):** Reissuance

**Permit Expiration Date:** 11/30/2016

**Waterbody ID ( ex: VAT-G15E):** VAT-C09R

**Topo Name:** Hallwood, VA 142A

**Facility Address:**

US Hwy 13 at Rt. 175 (Nash Corner), Oak Hall, VA 23415

**Receiving Stream:** Attached are topographic maps showing facility property boundaries and outfall(s) locations for those included in this request.

<b>Stream Name:</b> Unnamed Trib to Tunnels Mill Br. to Bullbegger Creek	
<b>Stream Data Requested?</b>	
<b>Outfall #:</b> 001	<b>Lat Lon:</b> 37 56' 34.9"; -75 32'18.4"
<b>Outfall #:</b>	<b>Lat Lon:</b>
<b>Outfall #:</b>	<b>Lat Lon:</b>
<b>Stream Name (2):</b>	
<b>Stream Data Requested?</b>	
<b>Outfall #:</b>	<b>Lat Lon:</b>
<b>Outfall #:</b>	<b>Lat Lon:</b>
<b>Outfall #:</b>	<b>Lat Lon:</b>

If greater than 2 receiving streams or 3 outfalls per stream please provide a separate table with outfall listings and Latitude Longitude description.

## Planning Review:

<b>303 (d): Indicate Outfalls which discharge directly to an impaired (Category 5) stream segment and parameters impaired</b>	
The facility does not directly discharge to a 303d impaired water. Segment associated with Unnamed Trib to Tunnels Mill Branch is VAT-C09R_ZZZ01A00.	
<b>Tier Determination</b>	
Tier	Outfall discharges to a low flow stream and is therefore a Tier 1 water. See Attachment 1.
Tier	
<b>Management Plan</b>	
Is the facility Referenced in a Management Plan?	No
Are limits contained in a Management Plan?	No

**Review will be completed in 30 days of receipt of request.**

## Additional Comments:

KNB 7/11/2016

Until further guidance is provided by OWRM Permits, assessment of waters for  $\text{NH}_3$  should be based upon OWRM Guidance No. 93-015 from Larry G. Lawson, dated June 22, 1993.

The above guidance specifies that the ambient  $\text{NH}_3$  data should be compared to the  $\text{NH}_3$  standard (calculated using 90th percentile of ambient data for pH and temperature of that segment) and by using the "STANDARDS EXE Program" developed by OWRM Permits Modelling. (These environmental conditions are considered critical design conditions to protect water quality and to comply with WQS.) If the 97th percentile of the in-stream data is greater than either of the calculated  $\text{NH}_3$  standards (chronic or acute), then OWRM considers the standard is being violated and the segment is WQL.

#### 2.4.7 Wasteload Allocations Where The 7Q10 Is Zero Or Minimal

A discharge to a water course with a 7Q10 of zero or near zero would be required to have effluent limits that would comply with water quality standards, at a minimum. The discharge would have to be "self sustaining" so to comply with water quality standards. Therefore, the discharge would be WQL and the receiving water course with a 7Q10 of zero near zero would be considered a tier 1 segment.

Dry-ditch  
\* = Tier 1

A discharge to a tier 1 water that empties into a tier 2 water would have to be evaluated for antidegradation at the point of confluence of the two water courses, if the discharge is in close enough proximity to impact the tier 2 water. In the above scenario, antidegradation requirements to protect tier 2 waters may apply to a discharge to a tier 1 water. Therefore, effluent limits may be more stringent than required by the numerical water quality standards.

If a discharge occurs to a dry ditch or tributary that empties into a free flowing stream and the distance from the discharge to the next confluence is too short to model (based upon the current modelling programs), then the discharge should be modelled as if it occurs directly to the free flowing stream.

#### 2.4.8 Estuaries - Wasteload Allocations & TMDL Development

Similar to freshwater streams, water quality wasteload allocations (WQWLAs) and TMDLs in all tidal influenced waters will be expressed as a mass limitation for the conventional parameters ( $\text{BOD}_5$ ,  $\text{cBOD}_5$ , TKN, and  $\text{NH}_3$ ) and as a concentration for toxics.

Tidal freshwater segments and transition zone segments identified

# TMDL Permit Review

44

**Date:** 6/23/2016

**To:** Kristie Britt, TRO

**Permit Writer:** R. E. Smithson

**Facility:** Oak Hall Shopping Center WWTP

**Permit Number:** VA0090875

**Issuance, Reissuance or Modification (if Modification describe) :** Reissuance

**Permit Expiration Date:** 11/30/2016

**Waterbody ID (ex: VAT-G15E):** VAT-C09R

**Topo Name:** Hallwood, VA 142A

**Facility Address:**

US Hwy 13 at Rt. 175 (Nash Corner), Oak Hall, VA 23415

**Receiving Stream:** Attached are topographic maps showing facility property boundaries and outfall(s) locations for those included in this request.

<b>Stream Name:</b> Unnamed Trib. To Tunnels Mill Br. to Bullbegger Creek	
<b>Outfall #:</b> 001	<b>Lat Lon:</b> 37 56'34.9"; -75 32'18.4"
<b>Outfall #:</b>	<b>Lat Lon:</b>
<b>Outfall #:</b>	<b>Lat Lon:</b>
<b>Stream Name (2):</b>	
<b>Outfall #:</b>	<b>Lat Lon:</b>
<b>Outfall #:</b>	<b>Lat Lon:</b>
<b>Outfall #:</b>	<b>Lat Lon:</b>

If greater than 2 receiving streams or 3 outfalls per stream please provide a separate table with outfall listings and Latitude Longitude description.

**Is there a design flow change? If yes give the change.**

## TMDL Review:

<b>Is a TMDL IN PROGRESS for the receiving stream?</b> No	
<b>Has a TMDL been APPROVED that includes the receiving stream?</b>	
Yes	
<b>If yes, Include TMDL Name, Pollutant(s) and date of approval:</b>	
1) Pocomoke Sound & Pocomoke River including Holdens Cr, Bulbegger Cr, and Pitts Cr Bacteria (Shellfish): Fecal Coliform TMDL: EPA approved 4/15/2009 2) Chesapeake Bay TMDL: TN, TP, TSS: EPA approved 12/29/2010	
<b>Is the facility assigned a WLA from the TMDL?</b>	Yes
<b>If Yes, what is the WLA?</b> Only use EOS Loads for Chesapeake Bay TMDL WLAs	
1) Fecal Coliform WLA = 7.57E+07 MPN/100mL ( based on design flow = 0.01 MGD and 200 MPN / 100 mL permitted FC conc) 2) VA0090875 is listed in the Chesapeake Bay TMDL under Bay segment POCOH as a non-significant discharger. Because an aggregated WLA exists, this permit did not receive an individual WLA. The aggregated WLA is presented as a delivered load for each of the impaired 92 Bay segments. (TMDL Report-Appendix Q)	

**Review will be completed in 30 days of receipt of request.**

**Additional Comments:**

KNB 7/11/2016

ATTACHMENT 9

TABLE III (a) AND TABLE III (b) -  
CHANGE SHEETS

TABLE III(a)

VPDES PERMIT PROGRAM  
Permit Processing Change Sheet

1. Effluent Limits and Monitoring Schedule: (List any changes FROM PREVIOUS PERMIT and give a brief rationale for the changes).

OUTFALL NUMBER	PARAMETER CHANGED	MONITORING LIMITS CHANGED FROM / TO	EFFLUENT LIMITS CHANGED FROM / TO	RATIONALE	DATE & INITIAL
001	T. Phosphorus	n/a to monitoring 1/Month	n/a to N/L	Per requirements for Ches Bay TMDL listing.*	RES 07/29/16
001	T. Nitrogen	n/a to monitoring 1/Month	n/a to N/L	Per requirements for Ches Bay TMDL listing.*	RES 07/29/16
001	Nitrite + Nitrate	n/a to monitoring 1/Month	n/a to N/L	Parameter needed to calculate TN	RES 07/29/16

OTHER CHANGES FROM:	CHANGED TO:	DATE & INITIAL
Update O & M manual special condition language	Per permit manual	RES
		07/29/16

\*Nonsignificant dischargers are subject to aggregate wasteload allocations for Total Nitrogen (TN) and Total Phosphorous (TP) under the Total maximum Daily Load (TMDL) for Chesapeake Bay. Monitoring of TN and TP is required in order to verify the aggregate wasteload allocations.

TABLE III(b)

VPDES PERMIT PROGRAM  
Permit Processing Change Sheet

1. Effluent Limits and Monitoring Schedule: (List any changes MADE DURING PERMIT PROCESS and give a brief rationale for the changes).

**N/A**

OUTFALL NUMBER	PARAMETER CHANGED	MONITORING LIMITS CHANGED FROM / TO	EFFLUENT LIMITS CHANGED FROM / TO	RATIONALE	DATE & INITIAL
001					

OTHER CHANGES FROM:	CHANGED TO:	DATE & INITIAL

ATTACHMENT 10

CHRONOLOGY SHEET



## VPDES PERMIT PROGRAM

APPLICATION RECEIVED	APPLICATION RETURNED	ADDITIONAL INFO REQUESTED	APPLICATION/ADD INFO DUE BACK IN RO	APPLICATION/ADD. INFO RECEIVED
05/25/16				
APPLICATION TO VDH: 05/26/16 VDH COMMENTS RECEIVED: 06/10/16				
APPLICATION TO DSS: 06/26/16 DSS COMMENTS RECEIVED: 06/10/16				
APPLICATION ADMIN. COMPLETE: 06/10/16 APPLICATION TECH. COMPLETE: 06/10/16				
DATE FORWARDED TO ADMIN: N/A				

Date      DESCRIPTIVE STATEMENT [CHRONOLOGY OF EVENTS] (Meetings, telephone calls, letters, memos, hearings, etc. affecting permit from application to issuance)

[illegible]

ATTACHMENT 11

OTHER DOCUMENTS



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

### TIDEWATER REGIONAL OFFICE

Molly Joseph Ward  
Secretary of Natural Resources

5636 Southern Boulevard, Virginia Beach, Virginia 23462  
(757) 518-2000 Fax (757) 518-2009  
www.deq.virginia.gov

David K. Paylor  
Director  
Maria R. Nold  
Regional Director

August 24, 2016

Mr. James Koehler, V.P.  
TAI Oak Hall LLC  
655 Fox Run Rd., Suite B  
Findley, OH 45840

RE: Reissuance of VPDES Permit No. VA0090875  
**Oak Hall Shopping Center WWTP**  
**Draft Permit, Fact Sheet and Public Notice**

Dear Mr. Koehler:

The State Water Control Board is considering reissuing the referenced permit. **Please review the enclosed draft permit package with fact sheet and public notice carefully.**

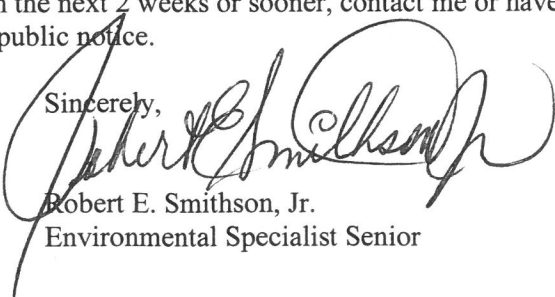
Certain public notice procedures must be complied with before the actual permit can be approved. They are as follows:

1. The attached public notice must be published once a week for two consecutive weeks in a newspaper of general local circulation. We have your signed Public Notice Billing Information Form, which will allow the newspaper to bill you for the public notice. In order for you to continue to discharge under state and federal laws, a new permit must be issued by the expiration date of the current permit. The term of the current permit cannot be extended beyond its expiration date if the owner is the cause of the delay in permit reissuance.

2. A minimum of 30 days will be allowed for public response following the date of the first public notice. If no public response is received, or the public response can be satisfactorily answered, then the permit will be processed. However, if there is significant public response, then we may hold a public hearing. You will be advised if this occurs.

If you have any questions or comments on the draft permit or public notice requirements, please contact me at (757) 518-2106. Within the next 2 weeks or sooner, contact me or have your consultant let us know that you wish to proceed to public notice.

Sincerely,

  
Robert E. Smithson, Jr.  
Environmental Specialist Senior

Encl: Draft Permit and Fact Sheet  
Public Notice

cc: DEQ-TRO ECM File

## PUBLIC NOTICE OF AN ENVIRONMENTAL PERMIT

**PURPOSE OF NOTICE:** To seek public comment on a draft permit from the Department of Environmental Quality that will allow the release of treated wastewater into a water body in Accomack County, Virginia.

**PUBLIC COMMENT PERIOD:** 30 days from the first date of this public notice (**date to be inserted by newspaper**)

**PERMIT NAME:** Virginia Pollutant Discharge Elimination System Permit – Wastewater issued by DEQ under the authority of the State Water Control Board.

**APPLICANT NAME, ADDRESS AND PERMIT NUMBER:** TAI Oak Hall LLC, 655 Fox Run Road, Suite B, Findley, OH 45840; Permit No. VA0090875

**FACILITY NAME AND LOCATION:** Oak Hall Shopping Center Wastewater Treatment Plant, SE corner of US Hwy 13 @ Rt. 175 (Nash Corner), Oak Hall, VA 23415

**PROJECT DESCRIPTION:** Oak Hall, LLC has applied to the Department of Environmental Quality (DEQ) for the reissuance of a permit for treated domestic waste water, discharges from their municipal wastewater treatment plant that serves the businesses in the shopping center. The discharge has a current design flow of 0.01 million gallons per day (MGD). The facility proposes to release the treated wastewater to an unnamed tributary to Tunnels Mill Br. to Bullbegger Creek in Accomack County in the Chesapeake Bay, Atlantic and Small Coastal watershed. A watershed is the land area drained by a river and its incoming streams. The permit will limit the following pollutants to amounts that protect water quality: pH, carbonaceous biochemical oxygen demand, total suspended solids, total Kjeldahl nitrogen, dissolved oxygen, fecal coliform, e. coli and total residual chlorine; generated sludge will be pumped and hauled by a septage hauler to Pocomoke City, MD.

**HOW TO COMMENT AND/OR REQUEST A PUBLIC HEARING:** DEQ accepts comments and requests for public hearing hand-delivery, by e-mail, fax or postal mail. All comments and requests must be in writing and be received by DEQ during the comment period. Submittals must include the names, mailing addresses and telephone numbers of the commenter/requester and of all persons represented by the commenter/requester. A request for public hearing must also include: 1) The reason why a public hearing is requested. 2) A brief, informal statement regarding the nature and extent of the interest of the requester or of those represented by the requestor, including how and to what extent such interest would be directly and adversely affected by the permit. 3) Specific references, where possible, to terms and conditions of the permit with suggested revisions. A public hearing may be held, including another comment period, if public response is significant, based on individual requests for a public hearing, and there are substantial, disputed issues relevant to the permit.

**CONTACT FOR PUBLIC COMMENTS, DOCUMENT REQUESTS AND ADDITIONAL INFORMATION:**

Robert Smithson at DEQ Tidewater Regional Office, 5636 Southern Blvd, Virginia Beach, Virginia 23462

Phone: (757) 518-2106 E-mail: robert.smithsonjr@deq.virginia.gov Fax: (757) 518-2009

The public may review the draft permit and application at the DEQ office named above by appointment or may request copies of the documents from the contact person listed above.



# COMMONWEALTH of VIRGINIA

Marissa J. Levine, MD, MPH, FAAFP  
State Health Commissioner

DEPARTMENT OF HEALTH  
**OFFICE OF DRINKING WATER**  
Southeast Virginia Field Office

John J. Aulbach II, PE  
Director, Office of Drinking Water

830 Southampton Avenue  
Suite 2058  
Norfolk, VA 23510  
Phone (757) 683-2000  
Fax (757) 683-2007

**DATE:** JUN 06 2016

**FROM:** DBH Daniel B. Horne, PE  
Engineering Field Director

**TO:** Mr. Robert E. Smithson, Jr., Environmental Specialist Senior  
DEQ – Tidewater Regional Office  
5636 Southern Boulevard  
Virginia Beach, Virginia 23462

**CITY/COUNTY:** Accomack

**APPLICANT:** Environmental Systems Service, Ltd.

**PERMIT TYPE:** VPDES

**APPLICATION TYPE:** Re-Issuance (Existing)

**PROJECT:** Oak Hall Shopping Center

**SUBJECT:** Review response for DEQ's permit application #VA0090875

Our office has reviewed the application treated wastewater discharge from the subject commercial site.

No public raw water intakes in Virginia were found downstream from the discharge point/area.

DWT/DBH/kcb

pc: Mr. James Koehler, Oak Hall Shopping Center  
Mr. Donald F. Hearl, Environmental Systems Service, Ltd.  
VDH, ODW – Central Office  
VDH, Accomack County Health Department

R:\DIST21\Accomack\DEQ Permits\2106\Oak Hall Shopping Center.docx

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# COMMONWEALTH of VIRGINIA

## Department of Health DIVISION OF SHELLFISH SANITATION

109 Governor Street, Room 614-B  
Richmond, VA 23219

Ph: 804-864-7487  
Fax: 804-864-7481

### MEMORANDUM

**DATE:** 6/10/2016

**TO:** Robert E. Smithson, Jr.  
Department of Environmental Quality

**FROM:** B. Keith Skiles, MPH, Director  
Division of Shellfish Sanitation

**SUBJECT:** Oak Hall Shopping Center WWTP

City / County: Accomack

Waterbody: Unnamed tributary to Tunnels Mill Branch to Bullbegger Creek

Type: ☒ VPDES ☐ VMRC ☐ VPA ☐ VWP ☐ JPA ☐ Other:

Application / Permit Number: VA0090875

- ☐ The project will not affect shellfish growing waters.
- ☐ The project is located in or adjacent to approved shellfish growing waters, however, the activity as described will not require a change in classification.
- ☒ The project is located in or adjacent to condemned shellfish growing waters and the activity, as described, will not cause an increase in the size or type of the existing closure.
- ☐ The project will affect condemned shellfish waters and will not cause an increase in the size of the total condemnation. However, a prohibited area (an area from which shellfish relay to approved waters for self-purification is not allowed) will be required within a portion of the currently condemned area. See comments.
- ☐ A buffer zone (including a prohibited area) has been previously established in the vicinity of this discharge, however, the closure will have to be revised. Map attached.
- ☐ This project will affect approved shellfish waters. If this discharge is approved, a buffer zone (including a prohibited area) will be established in the vicinity of the discharge. Map attached.
- ☐ Other.

ADDITIONAL  
COMMENTS:

Area #: 75  
eta



## COMMONWEALTH of VIRGINIA

### *Marine Resources Commission*

2600 Washington Avenue  
Third Floor  
Newport News, Virginia 23607

May 27, 2016

Mr. Robert Smithson, Jr.  
c/o Virginia Department of Environmental Quality  
Tidewater Regional Office  
5636 Southern Boulevard  
Virginia Beach, Virginia 23462

Re: VPDES Permit No. VA0090875  
Oak Hall Shopping Center Renewal

Dear Mr. Smithson:

You have inquired regarding the renewal of a discharge of sanitary wastewater from the Oak Hall Shopping Center situated in the T's Corner area of Accomack County.

The Marine Resources Commission requires a permit for any activities that encroach upon or over, or take use of materials from the beds of the bays, ocean, rivers and streams, or creeks, which are the property of the Commonwealth.

Based upon my review of the reference maps and drawings, it appears that the proposed project will not require authorization from the Marine Resources Commission. We would hope to comment on the shellfish resources if the condemnation area in Bullbegger Creek increased.

If I may be of further assistance, please do not hesitate to contact me at (757) 414-0710.

Sincerely,

A handwritten signature in dark ink, appearing to read "G. Badger, III", written over a horizontal line.

George H. Badger, III  
Environmental Engineer

*An Agency of the Natural Resources Secretariat*

[www.mrc.virginia.gov](http://www.mrc.virginia.gov)

Telephone (757) 247-2200 (757) 247-2292 V/TDD Information and Emergency Hotline 1-800-541-4646 V/TDD

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**Smithson Jr., Robert (DEQ)**

---

**From:** Smithson Jr., Robert (DEQ)  
**Sent:** Thursday, May 26, 2016 11:02 AM  
**To:** Horne, Daniel (VDH); Howell, Beth (MRC); Stagg, Ben (MRC); Skiles, Keith (VDH); Aschenbach, Eric (VDH); Badger, Hank (MRC)  
**Cc:** 'Jck2@aol.com'  
**Subject:** RE: Permit Application for Review- Permit #VA0090875 Oak Hall Shopping Center Application for Reissuance

Below is the FTP site link to access the application for the above referenced permit. You will find each of your letters in the fileshare file. If you have any questions, please let me know.

<http://deg.virginia.gov/fileshare/wps/permit/tro/VDH,%20DSS,%20VMRC%20For%20Review/VA0090875%20Oak%20Hall%20Shopping%20Center/>





# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY TIDEWATER REGIONAL OFFICE

5636 Southern Boulevard, Virginia Beach, Virginia 23462  
(757) 518-2000 Fax (757) 518-2009  
[www.deq.virginia.gov](http://www.deq.virginia.gov)

Molly Joseph Ward  
Secretary of Natural Resources

David K. Paylor  
Director

Maria R. Nold  
Regional Director

June 22, 2016

Mr. James Koehler, President  
T.A.I Oak Hall, LLC  
655 Fox Run Road, Suite B  
Findlay, OH 45840

RE: VPDES Permit Reissuance VA0090875  
Oak Hall Shopping Center, Oak Hall, VA

Dear Mr. Koehler:

The referenced application for Oak Hall Shopping Center **received May 25, 2016** has been reviewed and appears to be complete. Other reviews of the application will be required by state agencies to ensure that public health and the environment will be protected.

The next steps involve assembling the information necessary to develop the permit limitations and then drafting the permit. Once the draft permit is prepared and the appropriate reviews are performed, I will transmit the draft permit and supporting documentation to you for review.

Thank you for your cooperation and that of your consultant in submitting the completed application. If you have any questions about our procedures or the status of your draft permit, please feel free to call me at (757) 518-2106.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert E. Smithson, Jr.", written over a circular stamp or seal.

Robert E. Smithson, Jr.  
Environmental Specialist Senior

cc: DEQ ECM File  
Don Hearl, ESS



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# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

### TIDEWATER REGIONAL OFFICE

5636 Southern Boulevard, Virginia Beach, Virginia 23462

(757) 518-2000 Fax (757) 518-2009

www.deq.virginia.gov

David K. Paylor  
Director

Maria R. Nold  
Regional Director

Molly Joseph Ward  
Secretary of Natural Resources

December 8, 2015

Mr. James C. Koehler, President  
TAI Oak Hall LLC.  
655 Fox Run Road, Suite B  
Findaly, OH 45840

Re: Application for Re-issuance of VPDES Permit No. VA0090875  
Oak Hall Shopping Center WWTP, Oak Hall, VA Accomack Co.

Dear Mr. Koehler :

This letter is to remind you that the referenced VPDES permit will expire on November 30, 2016 .

If you wish to continue discharging, you must reapply for the permit. The State Water Control Board's VPDES Permit Regulation requires that we receive a complete application at least 180 days before the existing permit expires. The deadline for submitting the application is **June 3, 2016**. Early submissions are welcome and will better enable us to complete processing before permit expiration. You are required to submit the following forms: **Form 2A, the Permit Application Addendum, the Sewage Sludge Application, the VPDES Permit Annual Maintenance Fee Form, and the VPDES Public Notice Billing Authorization Information Form (enclosed)**. Forms 2A and the Sludge Application are under the heading "Application Forms and Information". The permit application addendum and VPDES Permit Annual Maintenance fee form are further down under the heading "miscellaneous forms/information". Please fill out all of these and submit them along with the enclosed public notice authorization form. These forms can be found at

<http://www.deq.virginia.gov/Programs/Water/PermittingCompliance/PollutionDischargeElimination/PermitsFees.aspx>  
[http://www.deq.virginia.gov/export/sites/default/vpdes/documents/VPDES\\_Permut\\_Application\\_Addendum.doc](http://www.deq.virginia.gov/export/sites/default/vpdes/documents/VPDES_Permut_Application_Addendum.doc)  
[http://www.deq.virginia.gov/export/sites/default/vpdes/documents/Permit\\_Billing\\_Information\\_Form.doc](http://www.deq.virginia.gov/export/sites/default/vpdes/documents/Permit_Billing_Information_Form.doc)

If you have difficulty locating/downloading any forms, please contact me. If you would like to request a waiver from any of the sampling or testing requirements in the application forms, you must submit your application and a thorough justification for the request at least 240 days prior to the exiting permit's expiration date. These waiver requests must be approved by DEQ and the U.S. EPA at least 180 days before the existing permit expires. DEQ will review your waiver request and, if it is justified, forward it to EPA. Failure to submit the waiver request by the 240 day deadline may result in the waiver being denied.

Upon completing the applications and other forms, return the original and two copies to the Tidewater Regional Office at the above address. If you have the technology available however, we would prefer that the original signature application and a disk/CD or an e-mail with the application attached be submitted. This would eliminate the requirement of submitting two copies.

There is no application fee for a regularly scheduled reissuance of an individual permit; that fee has been replaced by an annual permit maintenance fee which is to be paid by October 1 of each year. No permit will be reissued unless all maintenance fee payments are up to date.

DEQ has launched an e-DMR program that allows you to submit the effluent data electronically. There are many benefits to both DEQ and the permittee when e-DMR is utilized for submissions.

- 1) Fewer revisions for data since the e-DMR program automatically flags omissions before the data is submitted;
- 2) Cost savings on postage, copying, and paper;
- 3) No concerns about using the most current DMR – e-DMR refreshes the required parameters automatically when changes are needed;
- 4) Submittals can be made on a timelier basis; and
- 5) Electronic signatures from multiple people are allowed and e-DMR can be accessed from multiple computer locations.

Application for Re-issuance of VPDES Permit No. VA0090875  
Oak Hall Shopping Center WWTP  
Page 2

We ask that you apply for e-DMR participation now so that we will be able to complete the application process when your permit is effective. The following website provides details:  
<http://www.deq.virginia.gov/Programs/Water/PermittingCompliance/ElectronicDMRsubmissions.aspx>

Please call me at (757) 518-2106 if you have any questions. **Also please update any information in the attached authorization form if not current.**

Sincerely,



Robert E. Smithson, Jr.  
Environmental Specialist Senior

Encl: Public Notice Authorization to Bill Form  
Don Hearl, ESS

**AUTHORIZATION TO BILL APPLICANT FOR  
A PUBLIC NOTICE  
FOR  
OAK HALL SHOPPING CENTER WWTP, OAK HALL, VA  
RE: PERMIT NO. VA0090875**

I hereby authorize the Department of Environmental Quality to have the cost of publishing a public notice billed to the Agent/Department shown below. The public notice will be published once a week for two consecutive weeks in the:  
**EASTERN SHORE NEWS**

Agent/Department to be billed: Mr. James C. Koehler, President

TAI Oak Hall LLC

Applicant's Address: 655 Fox Run Rd., Suite B

Findaly, OH 45840

Agent's Telephone No: 419-422-8443 or 540-825-6660 (Don Hearl)

**I AM ALSO AUTHORIZING THE EASTERN SHORE NEWS TO SEND THE AFFIDAVIT TO:**

**DEQ TIDEWATER REGIONAL OFFICE  
WATER PERMITS  
ATTN: CATHY JENSON  
5636 SOUTHERN BOULEVARD  
VIRGINIA BEACH, VA 23462**

Authorizing Agent/Date Signed:

\_\_\_\_\_  
Print Name/Date Signed

Authorizing Agent's  
Signature

\_\_\_\_\_  
Signature

Authorizing Agent's E-Mail Address: \_\_\_\_\_

**RETURN COMPLETED FORM TO:**

DEQ – Tidewater Regional Office  
Attn: Robert Smithson-Water Permits  
5636 Southern Boulevard  
Virginia Beach, VA 23462

**Cc: (DEQ FILE ECM)**